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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/423,414 | 12/23/1999 | GRAHAM THOMAS SMITH | P150299 | 6705 |

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| EXAMINER |
|---|
| ENG, GEORGE |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2643 | |

DATE MAILED: 11/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. 09/423,414 | Applicant(s) SMITH ET AL. | |
|---|---|---|---|
| | Examiner George Eng | Art Unit 2643 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *29 August 2002* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

## DETAILED ACTION

### *Response to Amendment*

1. This Office action is in response to amendment filed 8/29/2002 (paper no. 8).

### *Drawings*

2. The drawings filed on 8/29/2002 (paper no. 8) are acceptable subject to correction of the informalities indicated on the attached "Notice of Draftperson's Patent Drawing Review," PTO-948. In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later

invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-8, 10 and 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okaya (US PAT. 5,808,663) in view of Hildin (US PAT. 5,844,599).

Regarding claim 1, Okaya discloses a multimedia carousel (10), read as a teleconferencing robot, for use in video conferencing and multimedia presentation application enabling a remote conferee to project a sense of presence into a group meeting, comprising a base (12), and a media unit (14), wherein the media unit (14) includes a video monitor (16) movably mount to the base for receiving and displaying an image of the remote conferee, a video camera (18) movably mount on the base (col. 2 line 48 through col. 4 line 7). Although Okaya teaches the video camera (18) is a voice-activated camera and the media unit (14) can be rotated to the base (12) to enable participants to ensure that particular participants are within the line of sight (col. 2 lines 65-67 and col. 3 line 65 through col. 4 line 3), Okaya differs from the claimed invention in not specifically teaching control means mount on the base for moving the video monitor and video camera in response to an input control signal so that the video monitor and video camera move in response to the input control signal. However, Hildin teaches a voice following video system for capturing the view of speaker comprising a position control system, i.e., control means, mounted on the base as shown in figure 5 for moving video camera so that the video camera move in response to control signal (col. 2 lines 39-53) in order to automatically reposition the video camera for capturing the view of the active speaker. Note while Okaya teaches the video camera and the video monitor are within the media unit (col. 2 lines 53-56). By

combining Okaya and Hildin, the control means can move the video camera, as well as the video monitor, in response to the input control signal. Okaya and Hildin are combinable because they are solving the same problem, i.e., to ensure particular participants within the line of sight of the video camera. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Okaya in having the control means for moving the video camera and the video monitor in response to the input control signal, as per teaching of Hildin, because it makes user friendly so that the video camera is automatically reposition for capturing the view of the active speaker.

Regarding claims 2-3, Okaya teaches the video monitor capable of rotating relative to the base (col. 3 line 65 through col. 4 line 3) such that the video monitor is rotatably mounted to the base unit for rotation about a substantially vertical axis A (figure1). Although Okaya does not specifically teaches the control means including a rotating drive to remote the video monitor and video camera. However, Hildin teaches such (col. 2 lines 53-56). Therefore, the combination of Okaya and Hildin teach the claimed limitations.

Regarding claims 4-5, Okaya differs from the claimed invention in not specifically teaching control means including a drive unit for rotation of the video camera and a tilt drive unit for tilting the video camera upwards and downwards. However, Hildin teaches such (col. 4 lines 59-64). Therefore, the combination of Okaya and Hildin teach the claimed limitations.

Regarding claim 6, Okaya teaches the video camera is a voice-activated video camera (col. 2 lines 65-67) so that the input control signal is obviously derived from sound source detection means for driving the video camera and the video monitor to a particular direction in response to the control signal. In addition, Hildin teaches the input control signal is derived from

the sound source detection means so that the control means is adapted to drive the video camera to a position substantially facing the detected direction in response to the control signal (col. 4 lines 43-64). Therefore, the combination of Okaya and Hildin teach the claimed limitations.

Regarding claim 7, Okaya discloses the base comprising upper and lower stages so that the video monitor is secured to the upper stage and the lower and upper stages are rotated relative to one another about a substantially vertical axis A (figure 1). Okaya differs from the claimed invention in not specifically teaching a defined forward direction with the video monitor normally being directed in the defined forward direction. However, Hildin teaches to pan and tilt in a define direction and having position presets in order to automatically cycled to a defined forward direction if input control signal is non-active (col. 2 lines 4-15 and col. 4 lines 61-64). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Okaya in having the defined forward direction at the upper stage, as per teaching of Hildin, in order to automatically cycled to the defined forward direction if input control signal is non-active, i.e., a default position.

Regarding claim 8, Okaya discloses the base comprising an upper part on which the video monitor is mounted and a lower part and means for vertically displacing the upper and lower parts relative to one another (figure1).

Regarding claim 10, Okaya teaches the screen of the video monitor (16) is positioned at or near the vertical axis (A) about which the video monitor rotates such that an angle formed by two straight lines lying in a horizontal plane crossing at the vertical axis (col. 3 line 65 through col. 4 line 3). Although Okaya does not specifically teaching that that extending through left and right hand edges of the screen of the video monitor is substantially 160 to 200 degrees, Okaya

teaches the rotation relative to the base to enable participants to get a better view. Thus, it would have been obviously to extend through left and right hand edges of the screen of the video monitor is substantially 160 to 200 degrees in order to enable participants to get a better view.

Regarding claim 13, Okaya teaches to use the multimedia carousel in conjunction with a remote teleconferencing unit for presentation of an outline at a meeting (col. 3 lines 43-65) such that the remote teleconferencing unit inherently comprising a second microphone and a second video camera for obtaining an audio signal and an image from the remote conferee for transmission to the video monitor of the teleconferencing robot, and a second video monitor and a second speaker for providing an image and an audio signal received from the multimedia carousel, wherein the video monitor of the multimedia carousel provided with a speaker for outputting an audio signal received from the microphone of the remote teleconferencing unit and the input control signal is provided by the remote teleconferencing unit.

Regarding claim 14, Okaya differs from the claimed invention in not specifically teaching to transmit data signals to the multimedia carousel for providing information on movement of the multimedia carousel. However, Hildin teaches a remote control key for allowing manual position of a camera in a manual mode (col. 3 lines 9-15) in order to make user friendly. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Okaya in transmitting data signals to the multimedia carousel for providing information on movement of the multimedia carousel, as per teaching of Hildin, because it makes user friendly so that the multimedia carousel is capable of being controlled remotely.

Regarding claim 15, Okaya teaches microphone array means for enabling a location of a speaker to be determined and generating a detection signal indicative of the location of the speaker (figure 2 and col. 3 lines 13-20), as well as Hildin (col. 3 line 54 through col. 4 line 64).

Regarding claim 16, Hildin teaches the system is capable of performing manual mode and voice following mode (col. 4 lines 26-50) such that it would have been obviously in having a switch unit enabling the input control signal to be selectively derived from the detection signal and a remote signal generated by the remote conferee.

Regarding claim 17, Hildin teaches the microphone array is fixed such that the video camera and the video monitor rotate independently of the microphone array means (figure 1).

Regarding claim 18, Okaya teaches the video camera rotating substantially about the vertical axis.

Regarding claim 19, Hildin teaches location determining means for enabling a location of a person to be determined and generating a detection signal indicative of location of the speaker, wherein the video camera and the video monitor operate independently of the location determining means and the input control signal is derived from the detection signal and cause the rotating drive unit and pan drive unit to rotate to a position substantially facing the location of the speaker (col. 5 line 40 through col. 6 line 17).

Regarding claim 20, Hildin teaches the input control signal derived from a remote signal generated by the remote conferee (col. 4 line 65 through col. 5 line 19).

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okaya (US PAT. 5,808,663) in view of Hildin (US PAT. 5,844,599) as applied to claim 3 above, and further in view of Flint, III (US PAT. 4,821,307 hereinafter Flint).

Regarding claim 9, the combination of Okaya and Hildin differs from the claimed invention in not specifically teaching the base comprising a mobile ground unit including wheels and driver motor for rotating the wheels. However, it is old and well known in the art of a teleconferencing device having a base including wheels and driver motor for rotating the wheels, for example see Flint (figure 3 and col. 5 liens 30-39). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Okaya in having the base with the mobile ground unit including wheels and driver motor for rotating the wheels, as per teaching of Flint, because it facilitates mobility of movement.

6. Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okaya (US PAT. 5,808,663) in view of Hildin (US PAT. 5,844,599) as applied to claim 3 above, and further in view of Kuno (US PAT. 5,802,494).

Regarding claims 11-12, the combination of Okaya and Hildin differs from the claimed invention in not specifically teaching an attention getting means comprising a representation of a hand and arm for getting the attention of other conferees such that the control means includes means for actuating the attention getting means to rotate alternatively inwardly and outwardly to mimic a wave motion. However, Kuno teaches a patient monitoring system comprising a robot unit (5) including a camera and a display as shown in figure 4 for providing communication between a patient and a physician (col. 5 lines 17-25), wherein the robot further comprises arms

and hands for providing visual message to a subject, i.e., swing the arms of the robot, in ordeer to get attention (col. 23 line 64 through col. 24 line 4). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Okaya and Hildin in having the attention getting means, as per teaching by Kuno, because it enhances the capabilities so that the media unit is capable of providing visual message by moving the arms to draw the conferees attention.

***Response to Arguments***

7. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Coonan et al. (US PAT. 6,394,402) discloses a vertically adjustable mobile computer workstation (abstract and figure 1).

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, V.A., Sixth Floor (Receptionist).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tuesday to Friday from 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz, can be reached on (703) 305-4870. The fax phone number for the organization where this application or proceeding is assigned is 703-308-6306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

George Eng

Examiner

Art Unit 2643

George Eng